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Docket No.: VPI/00-114 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Julian M. C. Golec, et al.  
CONF NO.: 10442  
SERIAL NUMBER: 09/863,649 EXAMINER: Jeffrey E. Russel  
FILING DATE: May 23, 2001 ART UNIT: 1654  
FOR: CASPASE INHIBITORS AND USES THEREOF

December 3, 2004  
Cambridge, Massachusetts 02139


Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. § 1.136(a), applicants hereby petition for a five-month extension of time to respond to file an Appeal Brief, following applicants' Notice of Appeal filed May 5, 2004. With the extension, a response is due on or before December 6, 2004 (December 5, 2004 being a Sunday).

The Director is authorized to charge the requisite fee of \$2,080.00 that is due under 37 C.F.R. § 1.17(a)(5) to Deposit Account No. 50-0725. A duplicate copy of this Petition is enclosed herewith.

Respectfully submitted,

  
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PAGE 8/28 \* RCVD AT 12/23/2004 3:55:48 PM (Eastern Standard Time) \* BVR:USPTO-EFAXF-10 \* OMIS:8726367 \* CRD: \* DURATION (mm-ss):07-40

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Request  
for  
Continued Examination (RCE)  
TransmittalAddress to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/883,649
Filing Date	May 23, 2001
First Named Inventor	Julian M.C. Goloc
Art Unit	1654
Examiner Name	Jeffrey E. Russel
Attorney Docket Number	VP100-114 US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Information Disclosure Statement (IDS)
- iii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to change the following fees, or credit any overpayments, to Deposit Account No. 80-0725. I have enclosed a duplicate copy of this sheet.
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- b. ☒ Extension of time fee (37 CFR 1.138 and 1.17)
- c. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Signature	Date
Name (Print/Type)	Registration No.
Uas A. Dixon	40,696

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	Date
Name (Print/Type)	Registration No.
Kalvin D. Brown	December 3, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.